

**SYNOPSIS OF BILLS AND RESOLUTIONS
MARCH 5, 2018**

The following is a brief summary of each Bill that will be considered on this evening's agenda. For detailed information, please refer to the specific Bill or Resolution:

ORDINANCES

BILLS TO BE GIVEN A FIRST READING ONLY

Bill No. 6185 – Bill No. 6185 – Phase I and Phase II Environmental Site Assessment Report – Manchester Renewal Project – An Ordinance Approving An Agreement With Terracon Consultants, Inc. For Environmental Due Diligence Services For The Manchester Renewal Project - Environmental due diligence proposals were solicited from three engineering firms for Phase I and Phase II Environmental Site Assessment Services related to the acquisition of approximately 50 sites. Three proposals were submitted by Terracon, Environmental Operations Inc., and Geotechnology Inc. The lowest and best bid for Phase I and Phase II Environmental Site Assessment Services was submitted by Terracon Inc. The total cost of this service will range from \$127,500 to \$152,500. Phase I and Phase II Environmental Site Assessments are part of the due diligence in knowing what you're buying. The cost to have the assessments is relatively minimal when compared to remediation or clean-up costs (digging up and removing soil, etc.). It lets you learn about potential issues before you are in the chain of title. Once you are in the chain of title, you may be responsible under federal law for cleaning up the property if there's environmental hazards, even if you didn't cause them. In addition, it establishes that you've done "all appropriate inquiries" which lets you establish the "innocent purchaser" defense against liability under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). CERCLA isn't fault-based, but it does contain an "innocent purchaser" defense. As part of that, you have to do all appropriate inquiries into the past use of the property you're buying. It's especially important here, given that many of the properties the City is looking at buying have been used for industrial type uses for many years. Additionally, CERCLA isn't based simply on ownership, so we may need to do similar Phase I reports on properties where the City winds up acquiring only an easement interest. Staff recommends a positive consideration by the Board of Aldermen for a motion to approve a Master Agreement with Terracon Inc.

Bill No. 6186 – Employment Agreement - An Ordinance Authorizing The Mayor Acting On Behalf Of The City Of Brentwood, Missouri, To Execute An Agreement With The Police Chief Of The City Of Brentwood, Missouri; And Providing For The Effective Date Of This Ordinance.

BILLS TO BE GIVEN A SECOND READING ONLY

Bill No. 6183 - Lease Agreement with Southern Sno for Concession Stand in Memorial Park – Southern Sno has been renting the grassy area near the parking lot in Memorial Park for the last twelve years for the purpose of the placement of Southern Sno's trailer for concession sales. Their current lease ends May 1, 2018. The Parks and Recreation Department has a good working relationship with Southern Sno. The area where their trailer is located is always clean and well maintained and they have been prompt with their rental payment. The only utility that is used for the trailer is electricity, which Ameren UE bills Southern Sno directly. The current lease includes a monthly rent of \$150 per month from May – October, earning the City \$900 per year. This was increased with the new agreement in 2014. Staff recommends keeping the monthly rental at \$150 per month. The Public Works Committee reviewed this agreement and unanimously recommends it be presented to the Board of Aldermen with positive approval.

Bill No. 6184 - Professional Services Agreement - This Bill is for an ordinance to authorize the mayor to enter into and execute a [professional services agreement](#) with Cook and Riley, LLC for reviewing of City-wide Sales Tax Revenues. In 2015, the Board of Aldermen approved a confidential agreement between Cook & Riley, LLC and the City of Brentwood, Missouri for monitoring services of sales tax collections received in the Brentwood Meridian Project. This project area is also known as T-8 RPA. This agreement is for city-wide sales tax. The Ways and Means

Committee has reviewed the agreement and a unanimous motion was made for it to be forwarded to the Board of Aldermen for consideration.

NEW BUSINESS

Request For Authorization to Engage Daniel Jones Associates for the Preparation of Capital Assets Schedules of City of Brentwood, Missouri for the Year Ended December 31, 2017 - A Motion Authorizing The City Administrator To Enter Into And Execute This [Letter Of Engagement](#). Per the City of Brentwood Financial Policies and Procedures an annual physical inventory must be done of all capital assets (\$5,000 and above). In the past, the Finance Department used the part-time services of a retired Finance Director to complete this project. Hours spent by her on this task usually took 3 – 4 days. She resigned in the spring of 2017 and was not replaced which meant this project was put on hold, but has to be completed as part of the 2017 Audit. The Board of Aldermen did approve the hiring of a Staff Accountant for fiscal year 2018 and that new hire process is near completion. In the meantime, in order to comply with this mandate in a timely fashion we contacted the firms of Schowalter and Jabouri as well as Daniel Jones & Associates (who are also the City’s auditors) to see if they could assist. Schowalter and Jabouri declined, but we did get a response from Daniel Jones & Associates. They assured us that for this type of service, they could do the work and still be used as our independent auditors but it is not part of the scope of their regular auditing services. When compared to the staff hours used to complete this project in the past, Daniel Jones and Associates estimate seems reasonable. Based on the need for this to be done quickly and the time constraints within the Finance Department, staff recommends the hiring of Daniel Jones & Associates to provide this service to the City.